

DOCKET NOS. 2007-12-T and 2008-205-T - ORDER NO. 2008-494

IN RE: Docket No. 2007-12-T – Application of ) ORDER CANCELLING  
Jacquelyn Heyward d/b/a Express Charleston )  
Port Shuttle, 1836 Meeting Street, Charleston, ) CERTIFICATE AND  
South Carolina 29405 (District 6) for a Class ) DISMISSING AS MOOT  
C Charter Certificate of Public Convenience ) ORS’ PETITION  
and Necessity ) RELATIVE TO DOCKET  
 ) NO. 2007-12-T  
 )  
and )  
 )  
Docket No. 2008-205-T – Petition of the )  
Office of Regulatory Staff for Commission to )  
Order a Rule to Show Cause as to Why the )  
Certificates of Public Convenience and )  
Necessity for Certain Motor Carriers Should )  
Not be Revoked for Failure to File Annual )  
Reports )

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Jacquelyn Heyward d/b/a Express Charleston Port Shuttle for cancellation of Class C Charter Certificate of Public Convenience and Necessity No. 7769 and on the Petition of the Office of Regulatory Staff (ORS) for a Rule to Show Cause against certain motor carriers. The record reveals that Class C Charter Certificate No. 7769 to render motor passenger service was granted to Jacquelyn Heyward d/b/a Express Charleston Port Shuttle pursuant to Commission Order No. 2007-61, dated January 29, 2007.

On February 12, 2008, ORS filed a petition seeking revocation of the Certificates of Public Convenience and Necessity of certain motor carriers for failure of the certificated carriers to file annual reports as required by 26 S.C. Code Ann. Regs. 103-231 (Supp. 2007). The record reflects that Jacquelyn Heyward d/b/a Express Charleston Port Shuttle was listed in ORS' petition as a certificated carrier in non-compliance with the requirement to file annual reports.

Subsequently, on June 30, 2008, Jacquelyn Heyward d/b/a Express Charleston Port Shuttle filed a request with the Commission seeking cancellation of the Certificate in question.

Upon review of the matters asserted in the present requests, the Commission is of the opinion, and so finds, that the relief requested by Jacquelyn Heyward d/b/a Express Charleston Port Shuttle should be granted and the petition of ORS should be dismissed as moot. If applicable, however, Jacquelyn Heyward d/b/a Express Charleston Port Shuttle remains responsible for any assessments due.

**IT IS THEREFORE ORDERED:**

1. That Class C Charter Certificate of Public Convenience and Necessity No. 7769 to provide motor carrier services issued to Jacquelyn Heyward d/b/a Express Charleston Port Shuttle is hereby cancelled.

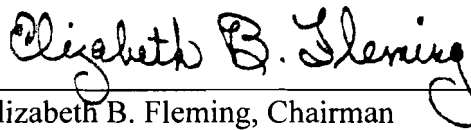
2. That the Petition of the Office of Regulatory Staff for a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Motor Carriers Should Not Be Revoked (Docket No. 2008-205-T), relative to the Class C

Charter Certificate No. 7769 of Jacquelyn Heyward d/b/a Express Charleston Port Shuttle, is dismissed as moot.

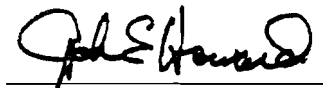
3. If applicable, Jacquelyn Heyward d/b/a Express Charleston Port Shuttle remains responsible for any assessments due.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman

(SEAL)